

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                )  
                                )  
Plaintiff,                 )  
                                )  
                                )  
v.                           )                                  No. 4:06 CR 327 HEA  
                                )  
                                DDN  
ROBERT RICO PRUITT,        )  
                                )  
                                )  
Defendant.                 )

**ORDER AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

This action is before the Court upon the pretrial motions of the parties which were referred to the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(b). An evidentiary hearing was scheduled for July 7, 2006.

On July 7, 2006, defendant appeared in open court, with counsel, and advised the undersigned that he had decided not to raise any issues by way of pretrial motions. He thereupon waived his rights to file pretrial motions and to have a pretrial hearing.

Accordingly,

**IT IS HEREBY ORDERED** that the motion of the government for a pretrial determination of the admissibility of defendant's confession (Doc. 14) is denied as moot.

**IT IS HEREBY RECOMMENDED** that the motion of defendant to suppress evidence and statements (Doc. 16) be denied as moot.

The parties are advised they have until July 18, 2006, <sup>1</sup>to file written objections to this Order and Recommendation. The failure to file timely, written objections may result in a waiver of the right to appeal issues of fact.

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<sup>1</sup>This is 11 calendar days from July 7, 2006. See Federal Rule of Criminal Procedure 45(a)(2).

**ORDER SETTING TRIAL DATE**

As directed by the District Judge, this matter is set for a jury trial on the docket commencing August 7, 2006, at 9:30 a.m.

  
DAVID D. NOCE  
UNITED STATES MAGISTRATE JUDGE

Signed on July 7, 2006.